



# San Diego City Attorney **MICHAEL J. AGUIRRE**

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## NEWS RELEASE

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### **CITY WINS TWO MULTI-MILLION DOLLAR LAWSUITS FILED BY DEVELOPER DE LA FUENTE**

**San Diego, CA**—A Superior Court dismissed two lawsuits filed by companies associated with developer Roque de la Fuente II, alleging breach of contract and taking of property from his Otay Mesa Business Park. In rejecting the cases, the Court agreed with the City's arguments that each of the lawsuits seeking over \$100 million in damages was flawed.

Superior Court Judge Linda Quinn ruled that the companies failed to file proper government claims, which were required prior to filing these lawsuits. She also found that a prior case the City had won barred these new lawsuits. In that earlier case, *Border Business Park, Inc. vs. City of San Diego*, the California Court of Appeal overturned a \$94.5 million verdict against the City of San Diego, which raised many of the same arguments repeated in the lawsuits rejected today.

The cases are *National Enterprises, Inc., vs. City of San Diego*, No. 730011 and *Otay Acquisitions LLC vs. City of San Diego*, No. GIC 753247.

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